

# **EXHIBIT 6**

**In The Matter Of:**

*CHAE BROTHERS, LIMITED LIABILITY COMPANY, ET AL. v.  
MAYOR AND CITY COUNCIL OF BALTIMORE, ET AL.*

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*DEAN PALMERE*

*December 17, 2020*

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1           IN THE UNITED STATES DISTRICT COURT  
2           FOR THE DISTRICT OF MARYLAND  
3           NORTHERN DIVISION

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5        CHAE BROTHERS LIMITED                  )  
6        LIABILITY COMPANY, et al.,              )  
7        Plaintiffs,                              )  
8        v.                                         )Civil Action  
9        MAYOR & CITY COUNCIL OF                )No.  
10      BALTIMORE, et al.,                        )1:17-cv-01657-  
11      Defendants.                                )SAG  
12  
13

14           Deposition of DEAN PALMERE taken via  
15        remote videoconferencing of all participants,  
16        beginning at 1:04 p.m. on December 17, 2020,  
17        before Eleanor J. Schwandt, Registered Merit  
18        Reporter and Notary Public.

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1 to coordinate other resources and things of  
2 that nature.

3 Q. When you say "coordinate other  
4 resources" to what resources are you  
5 referring?

6 A. The other law enforcement agencies,  
7 their response. I know we had -- we were  
8 doing procurement for things like pads and  
9 stuff for the officers to wear, and  
10 basically coordinating schedules and that  
11 kind of, those kind of responsibilities.

12 Q. In addition to trying to procure  
13 equipment, were you also responsible for  
14 trying to secure mutual aid?

15 A. Yes, sir.

16 Q. By mutual aid do you understand I  
17 mean physical bodies, officers?

18 A. Yes, sir.

19 Q. And during what time period were  
20 you taking charge of requesting and/or  
21 coordinating for mutual aid from other  
22 jurisdictions?

23 A. I don't recall the specific date,  
24 but it was prior to the 25th.

25 Q. Okay. Was unified command

1           established during the Baltimore riots?

2           A.     I don't specifically recall who was  
3         in the Incident Command System at the time.  
4         But we, if I recall correctly, we did have  
5         some other City agencies in the Incident  
6         Command System.

7           Q.     Okay. Let me ask you this: During  
8         the Baltimore riots who served or which  
9         agency served as the lead agency?

10          A.     The police.

11          Q.     The Baltimore City police  
12         department?

13          A.     Yes, sir.

14          Q.     Now, I would like to go kind of  
15         back to the beginning, and specifically  
16         back to the arrest of Freddie Gray. When  
17         do you first recall hearing about the  
18         circumstances of Freddie Gray's arrest,  
19         which was on April 12th, 2015?

20          A.     I don't recall a specific date.

21          Q.     Do you recall hearing about the  
22         circumstances of his arrest prior to or  
23         after his death?

24          A.     Prior to.

25          Q.     Approximately how many days prior

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1           A.     Yes, sir.

2           Q.     Did the department change how it  
3         was approaching protests as a result of  
4         that concern that things would become more  
5         disruptive? Did it make additional plans?

6           A.     Yes, I believe that was during the  
7         time where we -- again, I would have to  
8         look at timelines specifically, but there  
9         was a point where we had called for mutual  
10       aid, and I don't know if that was before or  
11       after Freddie Gray's death. But, again, we  
12       had asked for additional resources from  
13       other jurisdictions.

14           We didn't get a whole lot of  
15       resources from those jurisdictions at  
16       first, until things started I guess getting  
17       out of control, then other resources became  
18       available.

19           Q.     When you say "things got out of  
20       control," to when are you referring?

21           A.     The first day I guess where the  
22       rioting started.

23           Q.     Are you referring to April 25th?

24           A.     Yes, sir.

25           Q.     Or 27th?

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1 A. 25th.

2 Q. 25th, the Saturday?

3 A. Yes, sir.

4 Q. While we are talking about  
5 resources, if I could direct your attention  
6 to Exhibit 13, a document produced by the  
7 City, Bates stamped CITY 00005798.

8 A. Yes, sir.

9 Q. Do you know what Exhibit 13 is?  
10 I'll let you look through it.

11 A. State Law Enforcement Coordinating  
12 Council Request.

13 Q. Are you familiar with these  
14 requests?

15 A. I believe this is, it is called a  
16 SLECC request, where the commissioner gives  
17 authority for other agencies to operate  
18 within the City limits.

19 Q. Okay. Now, this is dated April  
20 20th, one day after Freddie Gray's death,  
21 correct?

22 A. Yes, sir.

23 Q. Now, if you look at the first  
24 sentence in the body of Exhibit 13, it says  
25 that the Department will prepare to conduct

1       21812. These were produced by the City and  
2       they appear to be transcriptions of radio  
3       communications on channel A1 and A10  
4       respectively.

5       A.     Okay.

6       Q.     On April 25th, from 12:00 p.m.  
7       through 11:59 p.m. Now, if I could refer  
8       you to Exhibit 38 for channel A1, at 1459,  
9       which I assume is 2:59 p.m.?

10      A.     Yes, sir.

11      Q.     City Watch advises that crowds are  
12       moving towards North Avenue and that all  
13       marked vehicles are to avoid that area. Do  
14       you see that?

15      A.     Yes, sir.

16      Q.     When it says City Watch, what is  
17       City Watch referring to?

18      A.     City Watch is a camera system,  
19       closed-circuit camera guys that monitor the  
20       cameras throughout the City.

21      Q.     Would City Watch be saying this or  
22       advising from command, from incident  
23       command?

24      A.     I'm sorry?

25      Q.     When it says City Watch advises

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1 here, where were they physically? Were  
2 they in incident command or were they in a  
3 different location?

4 A. City Watch does have an off-site  
5 location that they work out of. I'm sure  
6 there was a representative from City Watch  
7 in incident command at the time.

8 Q. Okay. So at 2:59 p.m. do you know  
9 why all marked vehicles were ordered to  
10 avoid that area?

11 A. I don't know, sir.

12 Q. At 1511 or 3:11 p.m., KGA is  
13 advised, per unified command, that  
14 demonstrators are moving southbound on  
15 North Avenue, and all units are advised  
16 "Don't engage, follow, stay on post, don't  
17 show any police presence and stay away from  
18 North Avenue," do you see that?

19 A. Yes, sir.

20 Q. KGA is dispatch, correct?

21 A. Yes, sir.

22 Q. Now, why was unified command  
23 ordering units not to engage or not to show  
24 any police presence and to stay away from  
25 North Avenue?

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1 A. No, sir.

2 Q. If you look at Exhibit 53.

3 A. Yes, sir.

4 Q. Does that accurately reflect the  
5 number of officers from outside  
6 jurisdictions by way of mutual aid that  
7 were available for April 27th, 2015?

8 A. Yes, sir.

9 Q. Now, in addition to what is in  
10 Exhibits 51 through 54, if you go look at  
11 Exhibit 55, which is an e-mail produced by  
12 the City, CITY 00011631, and you also  
13 received that e-mail as well, right?

14 A. Yes, sir.

15 Q. Okay. There were also rumors of a  
16 purge, do you see that?

17 A. Yes, sir.

18 Q. How seriously was the Baltimore  
19 City Police Department taking the rumor of  
20 a purge?

21 A. If I recall correctly, we were  
22 taking it serious.

23 Q. Okay. And even prior to this rumor  
24 of a purge, I mean, Exhibit 54 describes it  
25 as an all-hands-on-deck day; would you

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1       happened that day, like where you were when  
2       things erupted at Mondawmin and what  
3       happened?

4           A.     On the 27th?

5           Q.     Yes.

6           A.     I recall at some point being at  
7       headquarters with Kevin Davis. And I  
8       believe Hank, it was Hank Stawinski from PG  
9       County, and I forget the name of the  
10      person, I believe they were from Montgomery  
11      County, and at some point we had left  
12      headquarters when Mondawmin -- when I guess  
13      the officers started getting hit with rocks  
14      and bottles.

15                  We drove up to the area where  
16      Commissioner Kevin Davis had gotten into  
17      our helicopter at the time and went up in  
18      the helicopter, and several, the rest of us  
19      stayed on the ground to assist with getting  
20      resources to that location. And Davis  
21      would be calling out if he saw individuals  
22      flanking the platoons that were deployed at  
23      the time through alleyways and such.

24           Q.     Okay. Do you recall officers being  
25      ordered to deploy to Mondawmin before the

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1 violence actually erupted?

2 A. There were officers deployed there,  
3 yes.

4 Q. Do you know why there were officers  
5 deployed there?

6 A. I believe that they were regarding  
7 preparedness for the potential purge.

8 Q. So the deployment to Mondawmin  
9 before the violence was in direct and  
10 specific response to the purge rumor?

11 A. If I recall, yes.

12 Q. And as things progressed, they  
13 extended beyond Mondawmin, correct?

14 A. Yes.

15 Q. And at that time did you remain at  
16 command?

17 A. I was, at that point I believe I  
18 was in the field.

19 Q. Do you recall where you were in the  
20 field, as you recall like where you were  
21 and what you saw, what had happened?

22 A. I'm sorry?

23 Q. If you could walk me through what  
24 you recall as far as where you were as the  
25 day progressed and what you remember seeing

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1 and this was on April 27th at 6:05 p.m., it  
2 says: "1340 sworn BPD, 80 outside  
3 jurisdictions, 700 vehicles," is that  
4 accurate?

5 A. It seems, sounds to be, yes.

6 Q. Okay. And at that point is it  
7 accurate that the Baltimore City Police  
8 Department requested 600 additional  
9 officers with riot gear?

10 A. I don't recall that.

11 Q. Okay. The rioting stopped in the  
12 early morning hours of April 28th, correct?

13 A. I believe so, yes.

14 Q. Did any rioting happen after that?

15 A. There were -- I don't recall. I  
16 know there were some tense moments, the  
17 protests continued, where there were some  
18 tense moments at times. And I don't recall  
19 in the timeline when an incident occurred  
20 in front of the Western District, where  
21 they were throwing trash cans at officers  
22 in front of the Western District, I don't  
23 know if that was before or after the 27th.

24 Q. Okay. But as far as what you  
25 remember seeing on April 25th and April

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1       27th, and by April 27th I mean going into  
2       the morning of April 28th --

3       A.     Right.

4       Q.     -- after that, things like that  
5       didn't happen again, correct?

6       A.     From what I recall, no.

7       Q.     If I could direct your attention to  
8       Exhibit 70. Before we get there, actually,  
9       did the Baltimore City Police Department  
10      have enough riot gear --

11      A.     No.

12      Q.     -- to meet its needs?

13      A.     No.

14      Q.     What discussions were there within  
15      the department regarding the need for more  
16      riot gear?

17      A.     Emergency procurement. We were  
18      trying to get equipment overnighted in from  
19      different vendors. And we were having,  
20      from what I recall, they were having  
21      trouble getting it based on the need  
22      nationally for that type of equipment.

23      Q.     Okay. Were there any discussions  
24      prior to that day, though, April 27th?

25      A.     I don't recall specific timeframe.